

August 27, 2020

DOROTHY ROBINSON
PLAINTIFF

CIVIL CASE

FILED

SEP 10 2020

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY RB DEPUTYWARDEN S. YOUNG
TERRELL (ADMIN) DEFENDANTS
DR. CARGNI
NURSES (NUNK)

CIV-20-919-F

MOTION TO FILE A CIVIL LAWSUIT
FOR MEDICAL NEGLECT DUE TO THE COVID-19
PANDEMIC AND TO BE RELEASED FROM THE BOP
CUSTODY DUE TO NO AVAILABLE BED SPACE AT FSI
DANBURY BECAUSE OF COVID-19 PANDEMIC

NOW COMES THE PLAINTIFF DOROTHY ROBINSON
IN PRO-SE ON THE BEHALF OF HER OWN AS WELL AS
OTHERS WHO IS NOT NAMED AT THIS TIME IN AN
ATTEMPT TO FILE A CIVIL LAWSUIT AGAINST THE
WARDEN AND MEDICAL STAFF NAMELY FEDERAL
TRANSFER CENTER IN OKLAHOMA CITY, OKLAHOMA.

BACKGROUND:

INMATE ROBINSON WHO WAS TRANSPORTED ON
MARCH 13, 2020 TO THE FEDERAL TRANSFER CENTER
FROM FCI ALICEVILLE ON A CLEAR MISCONDUCT
HISTORY AS WELL AS TO BE NEAR HER HOME.

AS OF MARCH 13, 2020 UPON HER ARRIVAL THERE
WAS A STATE OF EMERGENCY DUE TO COVID-19

PANDEMIC, THE FBOP HAD PLACED A FREEZE ON ALL INMATE MOVEMENT AS OF THE MARCH 13, 2020 DATE. THERE INMATE ROBINSON AS WELL AS OTHERS WERE, SINCE THAT TIME.

INMATE ROBINSON WAS SENTENCED TO 21~~6~~ MONTHS ON JUNE 24, 2010 IN THE MIDDLE DISTRICT OF PENNSYLVANIA FOR DISTRIBUTION OF CRACK COCAINE WITHIN A 1000 FEET OF A PUBLIC HOUSING AREA. ROBINSON HAS SERVED OVER 75% OF HER SENTENCE IN A FPC AS WELL AS FCI'S. SHE WAS NOT SENTENCED TO A FEDERAL HOLDOVER FACILITY AT OKLAHOMA. ROBINSON UNDERSTANDS THAT HER HOLDOVER HAS BEEN LONG DUE TO THE COVID-19 PANDEMIC. NOVEL AND CRISIS. INMATE ROBINSON ALSO HAVE KNOWLEDGE THAT TRANSPORTING INMATES TO THEIR DESIGNATED FACILITIES HAS BEEN ONGOING AND THIS WOULD INCLUDE THE DESIGNATED FACILITY IN WHICH ROBINSON IS SUPPOSE TO BE TRANSFERRED TO.

ROBINSON SUFFERS FROM HYPERTENSION AS WELL AS SLEEP APNEA, OBESITY IN WHICH THE CDC HAS SAID THAT MY UNDERLYING HEALTH ISSUES PLACES ME AS A HIGH RISK OF DEATH IF I SHOULD BECOME INFECTED BY THE COVID-19 NOVEL. ROBINSON WAS ISSUED A CPAP MACHINE ABOUT TWO DAYS AFTER HER ARRIVAL AT FTC AND HAD THE MACHINE UP TO HER MISTAKEN TRIP TO BE TRANSFERRED TO THE FSL DANBURY FACILITY. ROBINSON PACKED UP FOR A ALLDAY PLANE FLIGHT ON AUGUST 24, 2020 ONLY TO BE TURNED AROUND BY THE RECEIVERS AT THE DANBURY FACILITY WHO ALLEGEDLY TOLD THE U.S MARSHAL'S THAT THEY DID NOT HAVE ANYMORE BED SPACE FOR ME AT THE FSL FACILITY BUT THEY

ONLY HAD 2 SPACES FOR THE TWO OTHER INMATES WHO WERE DESIGNATED TO THE FPC DANBURY. ROBINSON WAS AND COULD HAVE BEEN EXPOSED TO THE COVID-19 VIRUS BY THE MARSHALS WHO WERE NOT WEARING FACE MASK ON AN ALL DAY PLANE RIDE AND WAS RETURNED TO THE FTC. "A MISTAKE AIR FLIGHT" AND DUE TO LIMITED BED SPACE.

(1) SHOULD ROBIN'S STAY AT THE FTC CONTINUE? NO

2) SHOULD SHE BE CONSIDERED AS A HIGH RISK DUE TO COVID? YES

3) BEFORE THE MARSHALS AND FESP BE CERTAIN OF ANY TRANSFER BEFORE TAKING INMATES FROM ONE EXPOSURE TO POSSIBLE OTHER? YES.

4) SHOULD ROBINSON BE CONSIDERED FOR RELEASE FROM CUSTODY TO HOME CONFINEMENT? YES

5) IS SHE A DANGER TO HER COMMUNITY? SEE THE COURT 3553(a)

6) SHOULD ROBINSON'S CPAP MACHINE AS A LIFE SUSTAINING DEVICE NOT BE ISSUED? NO

ROBINSON'S CPAP MACHINE IS PRESCRIBED BY A DR SINCE 2017 AND SHE HAS NOT BEEN GIVEN NO MEDICAL EXAMINATION TO DETERMINE HER CURRENT HEALTH CONDIITION CONCERNING THE STATUS OF HER SLEEP APNEA PROBLEM(S).

ROBINSON, SPOKE TO SEVERAL MEDICAL STAFF AND THIS ALLEGEDLY INCLUDED A DR. WHO ALSO DENIED

HER THE REISSUANCE OF HER CPAP. THE MEDICAL STAFF ALLEGES THAT THERE WAS A MEMO THAT CAME OUT OR IS POSTED THAT THE FTC WILL NOT ISSUE NEITHER THE INMATES PERSONAL CPAP NOR THE FTC BORROWED CPAP MACHINES.

ROBINSON MUST MAKE THE COURTS AWARE OF THE MISHANDLING AND THE ABUSE THAT THE FTC CAUSES CONSTANTLY. IF AND WHEN THERE IS AN ALLEGED CHANGE IN RULES AND REGULATIONS THEN THEY SHOULD BE ACTED UPON. ROBINSON REMAINED IN POSSESSION OF HER CPAP MACHINE UP AND UNTIL SHE WAS MISTAKENLY FLOWN TO NEWBURG, NY AIRLIFT ON AUGUST 24, 2020. IF IN FACT SHE WAS NOT SUPPOSE TO BE IN POSSESSION OF HER CPAP MACHINE DUE TO A MEMO THAT WAS IN AFFECT, SHE STILL POSSESSED THE CPAP MACHINE UNTIL AUGUST 24TH DATE. WHEN ROBINSON RETURNED TO THE FTC IS WHEN SHE WAS TOLD THAT THEY WOULD NOT BE REISSUING THE CPAP MACHINES.

FTC AT ONE POINT WOULD ISSUE WHAT IT HAS NAMED A INMATES TALKING POINTS WHICH INFORMED THE INMATES OF WHAT THEY SHOULD EXPECT FROM THE STAFF AT FTC. EACH INMATE WOULD BE DELIVERED ONE PER PERSON TO THEIR DOOR, NOW THESE POINTS ARE POSTED ON THE ELECTRONIC EMAIL FOR INMATES TO VIEW AND NOT TO BE PRINTED OFF FOR FUTURE PURPOSES. WE WERE SENDING THEM HOME TO OUR FAMILIES TO READ AND THIS FEATURE IS NO LONGER ALLOWED. WHY? ROBINSON SUFFERS FROM SLEEP APNEA AND POSSIBLE INSOMNIA DUE TO NOT BEING ABLE TO USE HER CPAP MACHINE THAT HELPS HER TO GET THE REST THAT SHE WOULD OBTAIN WITH THE HELP OF HER CPAP MACHINE.

ROBINSON'S CPAP MACHINE REFUSAL SHOULD NOT BE TAKEN AS NOT BEING CRITICAL OR A LIFE THREATENING

SITUATION. THUS FAR SHE HAS BEEN WITHOUT THE AIDE OF HER CPAP MACHINE FOR TWO NIGHTS SINCE BE RETURNED TO THE FTC AND SHE DO NOT KNOW AS TO HOW MUCH LONGER SHE WILL BE WITHOUT HER MEDICAL DEVICE. NO MEDICAL PROFESSIONAL WHO HAS EARNED A DEGREE AS A DOCTOR WOULD NOT FIRST EVALUATE A PATIENT BEFORE DISCONTINUING ANY MEDICAL NEEDS.

TODAY OFFICER TAYLOR STOOD IN A POSITION AS AN MEDICAL PROFESSIONAL WHO DOES NOT HOLD ANY TYPE OF MEDICAL DEGREE AND CONVEYING WHAT I SHOULD DO UNTIL SOME DEVICES THAT SHOULD HAVE BEEN ORDERED BEFORE AUGUST 24, 2020. THIS IS MEDICAL NEGLECT AND MISHANDLING OF THE FBOP PLAN THAT HAS ALLEGEDLY BEEN IN PLACE SINCE 2012. THIS IS A CLEAR EXAMPLE THAT THE PLAN WAS NOT IN PLACE AND THERE HAS NOT BEEN ANY PREPARATION FOR THIS PANDEMIC "IT DOES NOT WORK, AND HAS NOT WORKED" EVEN UNTIL NOW. I WILL HAVE TO UNDERGO A PERIOD OF NOT HAVING THE HELP OF A DOCTOR PRESCRIBED MEDICAL EQUIPMENT.

THIS COURT RESERVES THE JURISDICTION OVER THE CUSTODY OF THE INMATE. ROBINSON HAS BEEN IN THE HOLDOVER TRANSFER CENTER FOR 6 MONTHS THE U.S. MARSHALS HAS CONTINUED TO MOVE INMATES TO AND FROM TO DIFFERENT DESIGNATED AREAS INCLUDING THE DANBURY FACILITY. IN A NORMAL SETTING IN THE FCI'S AND FPC FEMALE FACILITIES WOMEN ARE ALLOWED TO HAVE VIDEO VISITS, REGULAR COMMISSARY AND ROBINSON WOULD HAVE ACCESS TO HER OWN PRESCRIBED CPAP AND IN HER POSSESSION. ALICEVILLE DID NOT HAVE CELLS TO ACCOMMODATE ROBINSON, DUE TO THERE WERE NO OUTLETS IN THE CELLS, THEREFORE THEY PROVIDED

BATTERY OPERATED CPAP MACHINES WHEN I ARRIVED AT THE INSTITUTION. THE PLAN THAT THE FBOP CLAIMS TO'VE BEEN IN AFFECT SINCE 2012 HAS LEFT 122 FEDERAL INMATES DEAD AND SEVERAL THOUSAND EITHER SICK OR HAVE TESTED POSITIVE. IT'S EVIDENT THAT THE FBOP WAS NOT AT ALL PREPARED FOR THIS DEADLY PANDEMIC OR CRISIS. THE MERE FACT THE MEDICAL STAFF AT FTC OKLAHOMA HAS NOW CHOSE TO PUT A STOP TO THE ISSUING OF CPAPS BECAUSE THE MACHINE WHICH DOES NOT REQUIRE ANY TYPE OF CLEANING AND HAVE NOT VENTS ON IT CANNOT GENERATE A MERE FRACTION OF SPREADING GERMS. AS OPPOSE TO THE CENTRAL AIR SYSTEM THAT GENERATES GERMS THROUGHOUT THE ENTIRE PRISON. THERE HAS NOT BEEN ANYTHING POSTED CONCERNING THE CPAP MACHINES, AND AGAIN IF THE INMATE HAD NEVER LEFT THE FTC ON A BLANK TRIP SHE WOULD STILL HAVE THAT VERY CPAP MACHINE IN HER POSSESSION. THIS UPDATE CONCERNING THE CPAP IS "BOGUS" BECAUSE THE DEVICE WAS STILL WITH THE INMATE AFTER THE ALLEGED MEMO. THAT MEMO WAS FOR THOSE JUST COME INTO THE TRANSFER CENTER. NOT THOSE WHO HAD BEEN THERE FOR 6 MONTHS, IN WHICH INMATE ROBINSON HAS BEEN HELD-OVER FOR 6 MONTHS.

INMATE ROBINSON QUALIFIES AND MEETS THE GENERAL CRITERIA TO BE TRANSFERRED TO HOME CONFINEMENT HOWEVER THE TRANSIT CENTER HAS SUSPENDED MOST PAPERWORK AND WILL NOT DO ANY PAPERWORK CONCERNING INMATES RELEASES. WHO MAY BE ELIGIBLE. FOR ANY OF THESE OFFERED PROGRAMS.

EACH DAY THE INMATE IS BEING FACED WITH THE POSSIBILITY OF CONTRACTING THIS VIRUS AND COULD BE A DEATH BLOW IF ROBINSON SHOULD BECOME INFECTED WITH COVID-19 VIRUS. THEREFORE ROBINSON LIFE IS BEING PLACE IN DANGER IN BOTH WAYS, BY THE COVID-19 AND

THE FACT SHE HAS BEEN FORCED TO GO WITHOUT HER CPAP. IF ROBINSON IS RELEASED SHE COULD HAVE FULL USE OF THE MACHINE IN THE CONFOUNDS OF HER OWN HOME OR RESIDENCE. ALSO THE COURT SHOULD TAKE INTO ACCOUNT THAT ESL DANBURY VERY MAY HAVE REFUSED HOUSING AN INMATE FOR THE REASON THAT ROBIN CAN BE A HIGH RISK BECAUSE OF THE CPAP MACHINE OR IN FACT THE SAME ISSUE THE FTC TRANSFER CENTER IS NOW UNDERGOING, THAT THEY DO NOT HAVE THE CPAP MACHINE THAT OKLAHOMA TRANSFER IS CURRENTLY IS WAITING FOR AT THIS TIME. ISSUES OF THE PLAINTIFF'S MEDICAL PROBLEMS DID COME INTO QUESTION. SINCE THE FTC IN OKLAHOMA ARE NOT ABLE TO PROVIDE ADEQUATE HEALTH AND MEDICAL ASSISTANCE TO ROBINSON, NEITHER CAN DANBURY AT THIS PARTICULAR TIME, THIS COURT RESERVES THE RIGHT TO INTERVINE IN HER BEHALF.

ROBINSON PRAYS THAT THIS COURT WILL GRANT HER MOTION AND THAT COURT WOULD ACCEPT AS A 224 MOTION. SHE ALSO IS CURRENTLY AWAITING A COURT RESPONSE RULING IN A COMPASSIONATE RELEASE UNDER 18 U.S.C 3582(c)(1)(A) FOR EXTRAORDINARY AND COMPELLING CIRCUMSTANCES IN THE M.O. OF PENNSYLVANIA DUE TO THE COVID-19 CONCERNING ROBINSON'S UNDERLYING HEALTH ISSUES THAT PLACES HER AS A HIGH RISK ACCORDING TO THE CDC.

CC
Warden S. Young
TERRELL
DA CARGNI
MEDICAL STAFF

RESPECTFULLY SUBMITTED
Mrs. Dorothy Robinson
14461-067